

EXHIBIT 11

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA**

SILICON HOLDING B.V.,

Plaintiff,

Case No:

v.

**BRAND INDUSTRIAL SERVICES, INC.,
BRANDSAFWAY, LLC, and
INDUSTRIAL SPECIALISTS, LLC**

Defendants.

_____/

**DECLARATION OF MATTHEW N. HEWLETT IN SUPPORT OF
PLAINTIFF SILICON HOLDING B.V.'S COMPLAINT FOR WILLFUL
PATENT INFRINGEMENT**

I, Matthew N. Hewlett declare as follows:

1. I am over the age of 18 and am otherwise competent to make this declaration.
2. I am a Senior Investigator at Vaudra, Ltd, d/b/a Vaudra International.
3. Among other things, Vaudra offers its clients intellectual property investigation and brand protection services.
4. My North Carolina Private Protective Services Board license number is #3614.
5. On or around February 16, 2021, Vaudra was engaged in relation to the above-captioned case (the "Lawsuit").

6. Specifically, for purposes of the instant declaration, Vaudra was tasked with investigating whether one or more of defendants named in the Lawsuit were offering to sell and/or selling certain refractory anchors and ferrules which I understand are alleged to infringe several patents asserted in the Lawsuit.

7. Using an alias of Nelson Hewlett, I first attempted to make contact with Defendant Industrial Specialists on or around June 10, 2021. On or around June 24, 2021, I was informed by one of Defendant Industrial Specialists' representatives over the phone that I should direct my request to Cameron Garner at cgarner@indspec.com. My subsequent attempts to reach Mr. Garner at that email address and purchase anchors and ferrules were unsuccessful.

8. Thereafter, I was able to make contact with Mr. Eduardo Almeida on or around August 20, 2021.

9. During an August 23, 2021 video session, Mr. Almeida indicated that it was possible to purchase certain refractory anchors and ferrules through him.

10. Over the course of several subsequent email communications with Mr. Almeida, which I directed to Mr. Almeida at ealmeida@brandsafway.com, I negotiated the purchase of certain samples of refractory anchors and ferrules, under the premise that I was interested in placing a much larger order.

11. Several examples of my email correspondence with Mr. Almeida are attached hereto.

12. For example, attached hereto as **Exhibit A** to my declaration is an email from Mr. Almeida to me on September 17, 2021, in which Mr. Almeida asks "a few questions" regarding which products I would need, including whether I would also need ferrules (in addition to anchors).

13. As another example, attached hereto as **Exhibit B** to my declaration is an email chain between myself and Mr. Almeida between the dates of October 5, 2021 and October 12, 2012.

14. Specifically, in that email chain, on October 7, 2021, in an email to Mr. Almeida, I asked Mr. Almeida to “provide ferrules with extension arms.” **Exhibit B**, pg. 3

15. Mr. Almeida responded that “we have many of those in stock from a previous job that ended up with many leftovers.” **Exhibit B**, pg. 2.

16. On October 11, 2021, in response to my request, Mr. Almeida directed Paulo Manoel De Oliveira Jr. (pdeoliveira@brandsafway.com) to “please send some of those white ferrules with the ‘tale’ to Nelson.” **Exhibit B**, pg. 1.

17. I requested that all shipments be directed to my attention at the following address:

EPG-Environmental Protection Group
M. Nelson Hewlett
6595 Rosewell Road
Suite G-6260
Atlanta, GA 30328

Exhibit B, pg. 2.

18. The invoice I received for these materials is attached hereto as **Exhibit C**.


19. On or around October 2021, I received four packages to the aforementioned address in Atlanta, GA: two packages of ferrules (one with arms and one without arms) and two packages of refractory anchors (one K-Bar and one Quik-X™).

20. The return address on all four packages identified Amrith Thakur at Industrial Specialists as the sender.

21. Upon receipt, I opened and examined the contents of each package, and took photographs thereof.

22. Relevant photographs of three of the four packages and their respective contents are attached hereto as **Exhibit D** (ferrules with arms), **Exhibit E** (K-Bar anchors), and **Exhibit F** (Quik-X™ anchors).

I declare under penalty of perjury of the laws of the United States of America that each of the above statements is true and correct, and that this declaration was executed on the 8 day of June, 2023 in Huntersville, NC.



Matthew N. Hewlett

EXHIBIT A



Nelson Hewlett <nnewlettepg@gmail.com>

RE: [EXTERNAL]: Re: EPG

Almeida, Eduardo <ealmeida@brandsafway.com>
To: nhewlett <nnewlettepg@epggreen.com>

Fri, Sep 17, 2021 at 8:53 AM

Hi Nelson,

this is great news.

a few questions:

- Do you only want to try the K-bar (24 pieces per Sqft) or do you want to try the Quik-X as well (16 pieces per sqft)?
- How to you plan to weld this to the base plate? Do you consider using our StudWelding equipment to do so?
 - this is important so we know if you need ferrules as well.

The price for the K-bars will be USD 3,75 each and the Quik-X will be USD 4.85 each.

Sincerely,

Eduardo Almeida | Director of Engineering, Innovation R&D
Industrial Specialists LLC | 5730 FM 646 East | Dickinson, TX 77539
BrandTech™
BY BRAND SAFWAY
P: +1 (832) 226 5150 Ext: 5072 | C: +1 (409) 927 0026

From: Nelson Hewlett <nnewlettepg@epggreen.com>

Sent: Monday, September 13, 2021 5:14 PM

[Quoted text hidden]

[Quoted text hidden]

EXHIBIT B



Nelson Hewlett <nnewlett@epggreen.com>

RE: [EXTERNAL]: Re: EPG

Nelson Hewlett <nnewlett@epggreen.com>
To: "Almeida, Eduardo" <ealmeida@brandsafway.com>
Cc: "De Oliveira Jr, Paulo Manoel" <pdeoliveira@brandsafway.com>

Tue, Oct 12, 2021 at 8:50 AM

Eduardo,

Thank you. I appreciate you sending the additional ferrules.

I will let you know once we receive the first ones you sent.

Regards,

Nelson Hewlett
Environmental Petroleum Group (EPG)
Tel: 404-946-3631
Email: nnewlett@epggreen.com

On Mon, Oct 11, 2021 at 2:59 PM Almeida, Eduardo <ealmeida@brandsafway.com> wrote:

Nelson,

No worries. I will send you a few. In the meantime, let me know if you have received the ones we sent you.

Paulo,

Would you please send some of those white ferrules with the "tale" to Nelson?

Thank you,

Eduardo Almeida

From: Nelson Hewlett <nnewlett@epggreen.com>
Sent: Thursday, October 7, 2021 3:40 PM
To: Almeida, Eduardo <ealmeida@brandsafway.com>
Subject: Re: [EXTERNAL]: Re: EPG

Eduardo,

Thank you for your quick response. I would appreciate it if you could include a few of the leftover ferrules or similar ones in the shipment for our testing purposes.

Regards,

Nelson Hewlett
Environmental Petroleum Group (EPG)
Tel: 404-946-3631
Email: nhewlett@epggreen.com

On Thu, Oct 7, 2021 at 1:05 PM Almeida, Eduardo <ealmeida@brandsafway.com> wrote:

Nelson,

Our inventory person will address this immediately.

With regards to the ferrules. We have many of those in stock from a previous job that ended up with many leftovers. Still, because they have IP protection on them from the original manufacturer, we prefer not to commercialize them, even though we paid for them for a project.

The ferrules we supply do the same, if not a better, job. We have used millions of them with no problems at all.

Thank you,

Eduardo Almeida

From: Nelson Hewlett <nhewlett@epggreen.com>
Sent: Thursday, October 7, 2021 11:19 AM
To: Almeida, Eduardo <ealmeida@brandsafway.com>
Subject: Re: [EXTERNAL]: Re: EPG

Eduardo,

I received notification from FedEx of scheduled shipment. I noted the ship to name was misspelled. Please assure the ship to is listed as the following:

EPG-Environmental Protection Group
M. Nelson Hewlett
6595 Roswell Road
Suite G-6260
Atlanta, GA 30328

Also, can you provide ferrules with extension arms as shown in the attached photos?

Please let me know how to submit payment. Thank you.

Regards,

Nelson Hewlett
Environmental Petroleum Group (EPG)
Tel: 404-946-3631
Email: nhewlett@epggreen.com

On Thu, Oct 7, 2021 at 12:14 PM Nelson Hewlett <nhewlett@epggreen.com> wrote:

Eduardo,

I received notification from FedEx of scheduled shipment. I noted the ship to name was misspelled. Please assure the ship to is listed as the following:

EPG-Environmental Protection Group
M. Nelson Hewlett
6595 Rosewell Road
Suite G-6260
Atlanta, GA 30328

Also, can you provide ferrules with extension arms as shown in the attached photos?

Pleas

Regards,

Nelson Hewlett
Environmental Petroleum Group (EPG)
Tel: 404-946-3631
Email: nhewlett@epggreen.com

On Tue, Oct 5, 2021 at 10:40 AM Nelson Hewlett <nhewlett@epggreen.com> wrote:

Eduardo,

Please find attached the PO. Please let me know how to submit payment? Also, can you provide me with a picture of the ferrules that will be sent? Thank you.

Regards,

Nelson Hewlett
Environmental Petroleum Group (EPG)
Tel: 404-946-3631
Email: nhewlett@epggreen.com

EXHIBIT C

**INVOICE**

INVOICE #ENV220202

Invoice Date: 2/2/2022
 Customer PO: 20211005056
 Contract Number:
 Contract Description: MATERIAL SALE

Job # 378-ENV PRO GRP
 ENVIRONMENTAL PROTECTION GROUP
 6595 ROSEWELL ROAD
 SUITE G-6260
 ATLANTA, GA 30328
 UNITED STATES

Please Remit to:
 INDUSTRIAL SPECIALIST, LLC
 P.O. BOX 91473

ENVIRONMENTAL PROTECTION GROUP
 M. NELSON HEWLETT
 6595 ROSEWELL ROAD - STE G-6260
 ATLANTA, GA 30328
 UNITED STATES

CHICAGO, IL 60693
 PHONE: 832-226-5150

Comments:

Terms of Payments: Due 30 days from Invoice Date

TO INVOICE FOR SALE OF MATERIAL

ITEM #	DESCRIPTION	QUANTITY	% COMPLETE	UNIT PRICE	EXTENDED VALUE
001	1" K-BAR, GRADE 304	40		\$ 3.75	\$ 150.00
002	1" QUIK-X, GRADE 304	30		\$ 4.85	\$ 145.50
SUB TOTAL OF ALL ITEMS					\$ 295.50

Description	Tax Rate	Taxable Amount	Tax Amount
State			-
City			-
TOTAL AMOUNT DUE \$			295.50

EXHIBIT D



VAUDRA INTERNATIONAL

Investigations & Brand Protection Solutions

Evidence Photos

Case #: SHM001.21.I

VEC #: 2021/1043

Item Description: (44) Ceramic Footed Ferrules, (11) Broken Ceramic Footed ferrule pieces

Obtained from: Amrith Thakur, Industrial Specialists, LLC, 5730 FM 646 East, Dickinson, TX 77539



10/20/2021 10:32:53
Huntersville, NC 28078
Vaudra International
Inv. M. Hewlett

FROM: (409) 218-7037
Amrith Thakur
Industrial Specialists, LLC
5730 FM 646 East
Dickinson TX 77539
US

SHIP DATE 11OCT21
ACTWGT 1.00 LB
CAD 9321896/NET4400
DIMMED 4 X 7 X 3 IN
BILL SENDER

TO
E
E
S

ATLANTA GA 30328

(US)

930100778FE4A

INV
PO 0489-EPG2

REF

DEPT



FedEx
Ground



412021070001w

TRK# 7749 3885 3141

30328

9622 0019 0 (000 000 0000) 0 00 7749 3885 3141



10/20/2021 10:34:00
Huntersville, NC 28078
Vaudra International
Inv. M.Hewlett



10/20/2021 10:35:45
Huntersville, NC 28078
Vaudra International
Inv. M.Hewlett



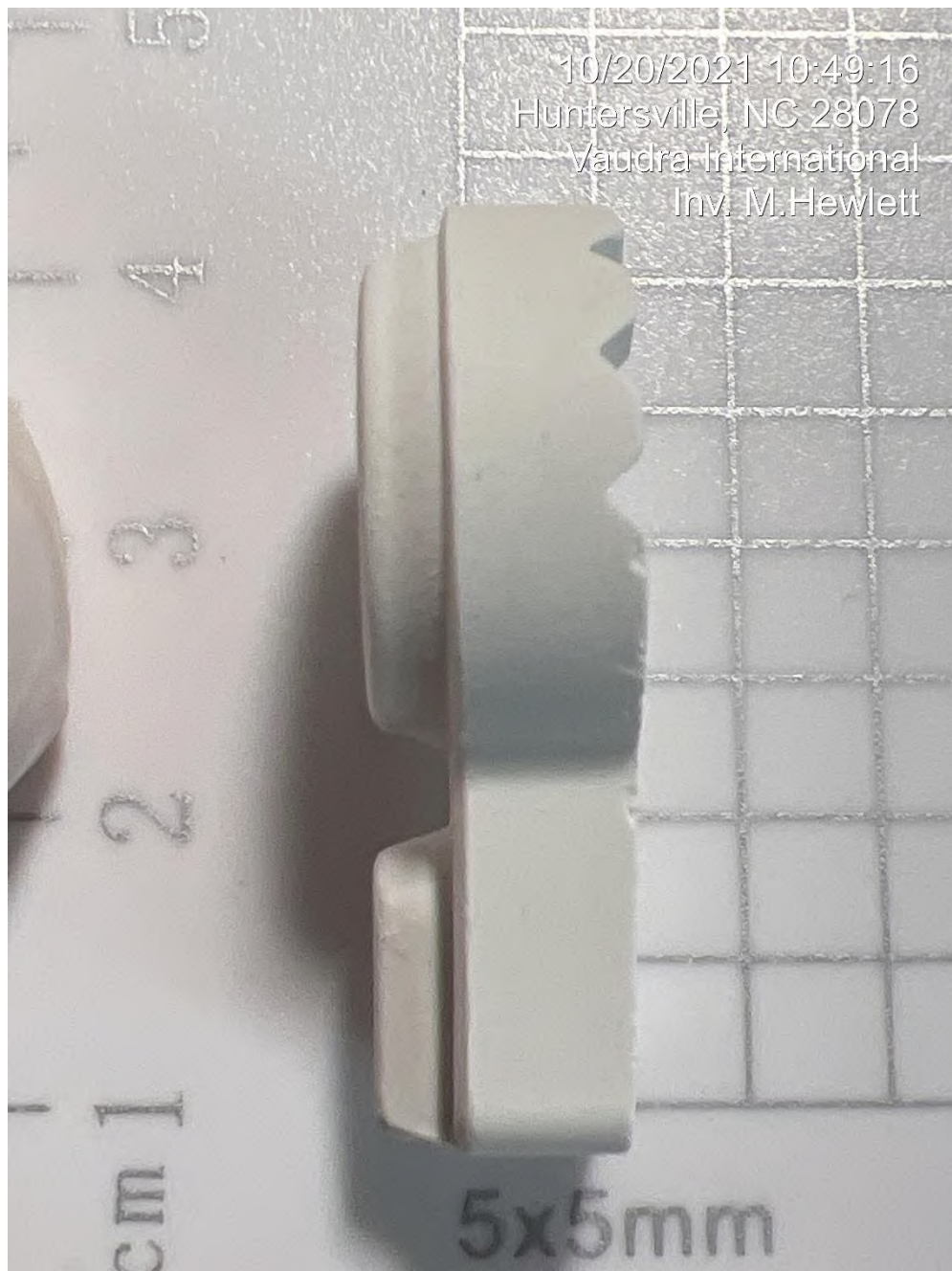












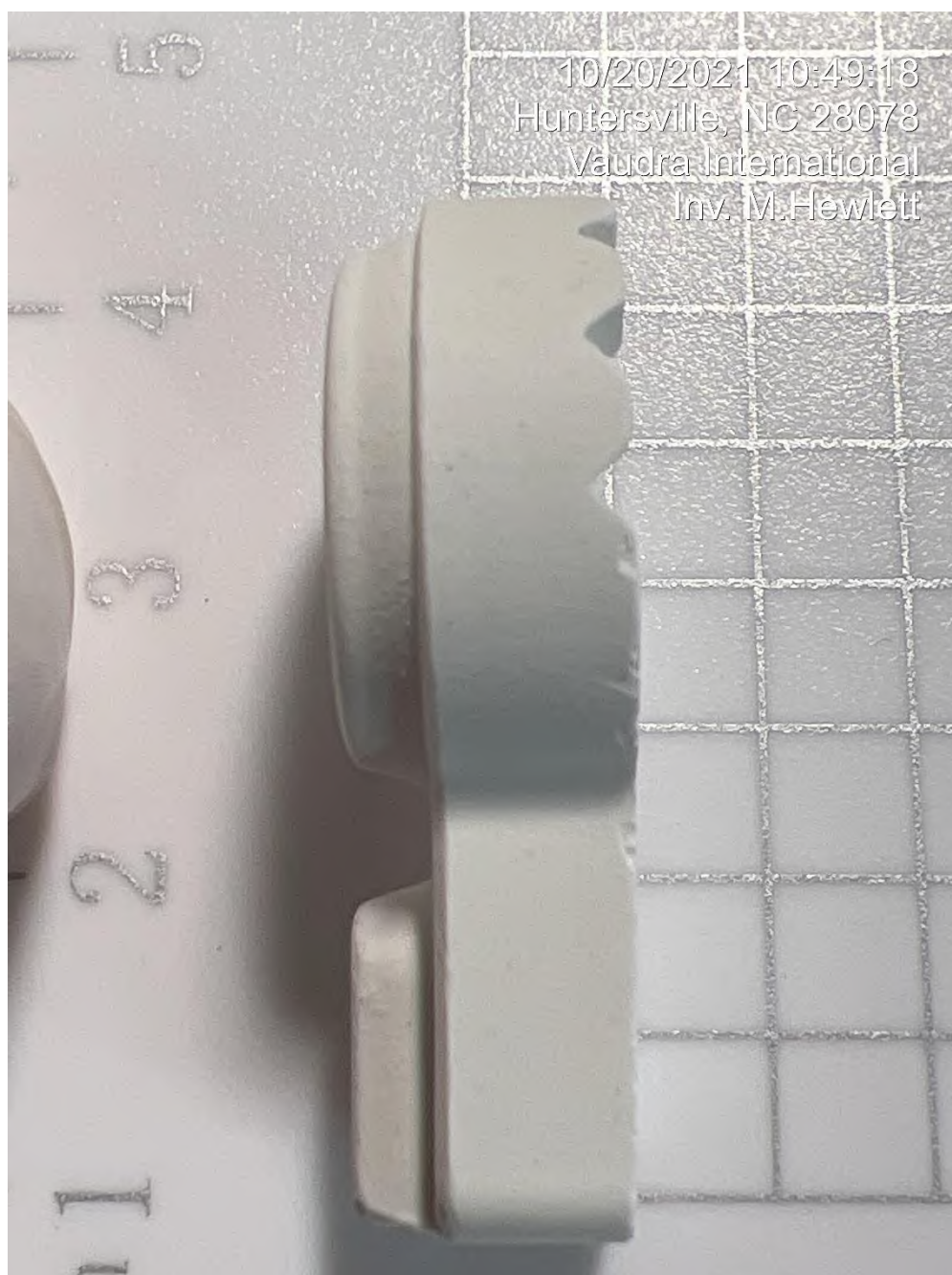








EXHIBIT E



VAUDRA INTERNATIONAL

Investigations & Brand Protection Solutions

Evidence Photos

Case #: SHM001.21.I

VEC #: 2021/1040

Item Description: (40) 1" K-Bar Grade 304 Anchor

Obtained from: Amrith Thakur, Industrial Specialists, LLC, 5730 FM 646 East, Dickinson, TX 77539



10/20/2021 09:33:35
Huntersville, NC 28078
Vaudra International
Inv. M.Hewlett

FROM (409) 218-7037
Aniruth Thakur
Industrial Specialists, LLC
5730 FM 648 East
Dickinson TX 77539
US

SHIP DATE 07OCT21
ACTWGT 5.00 LB
CAD 502186MHET400
DIMMED 5 X 7 X 3 IN
BILL SENDER

ATLANTA GA 30328

(US)

REF ENR-EPG
IN/ PO 20211005056 DEPT



FedEx
Ground



1 of 2

TRK# 7749 0748 7507

MASTER

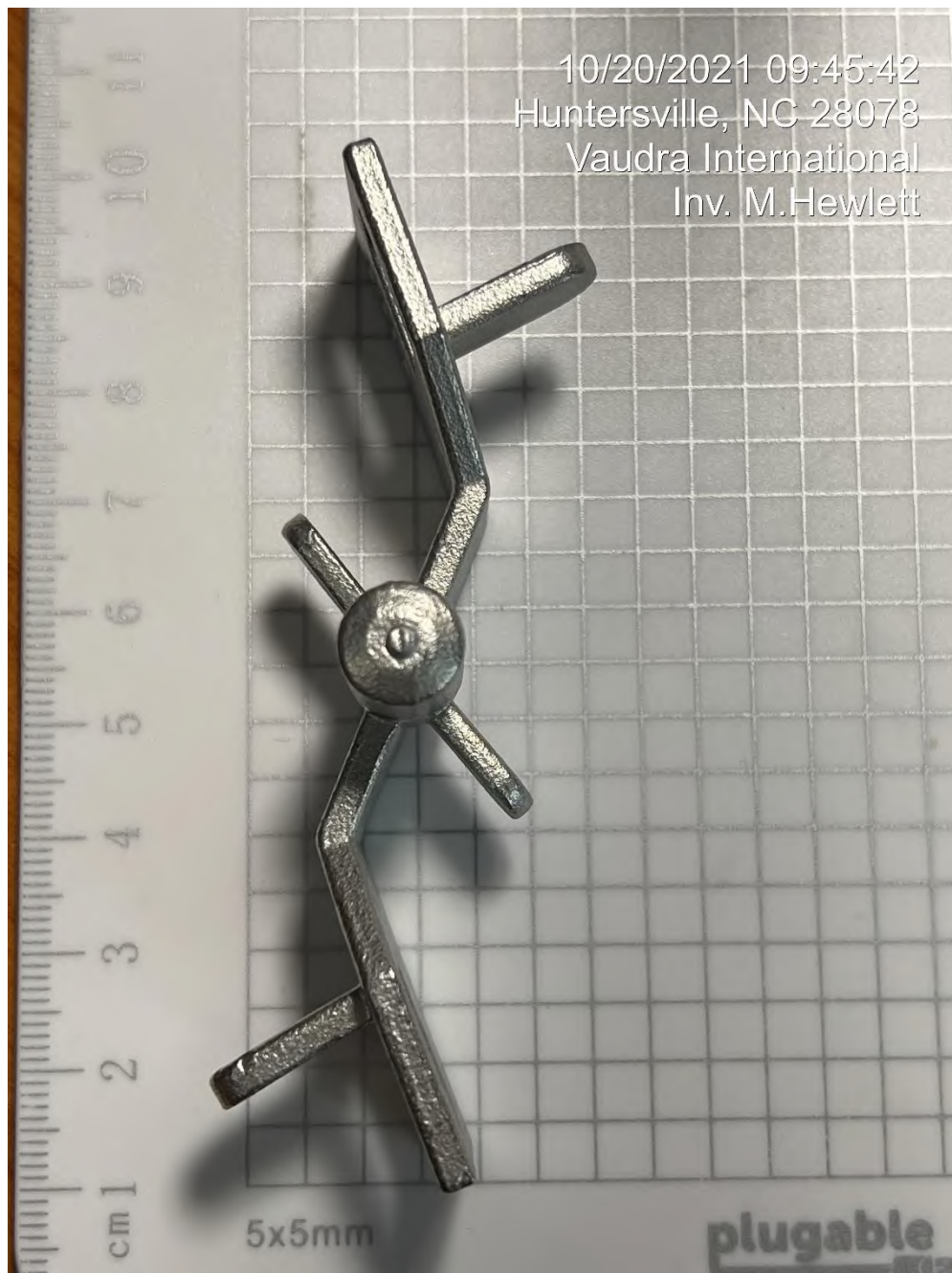
30328

9622 0019 0 (000 000 0000) 0 00 7749 0748 7507

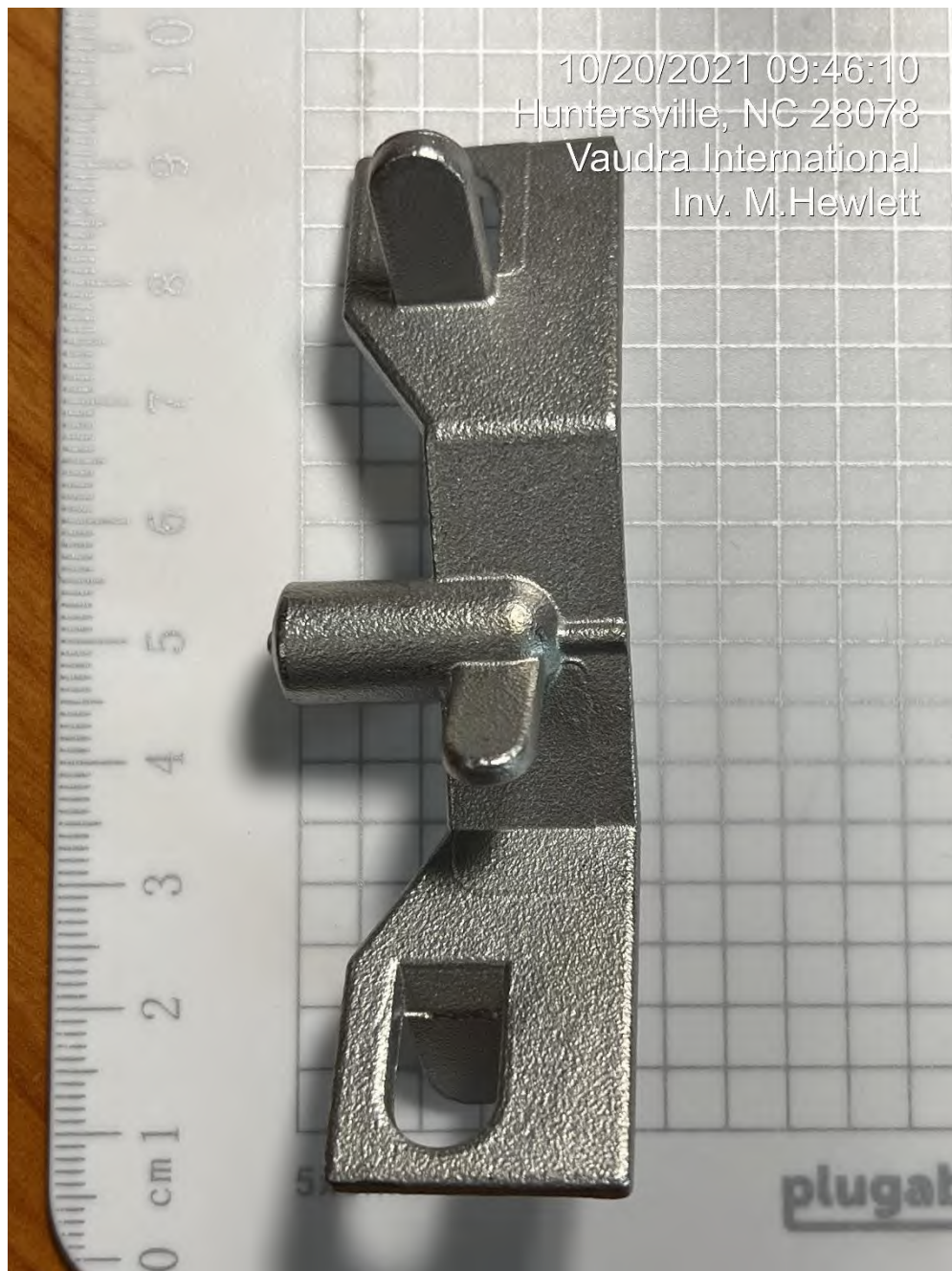


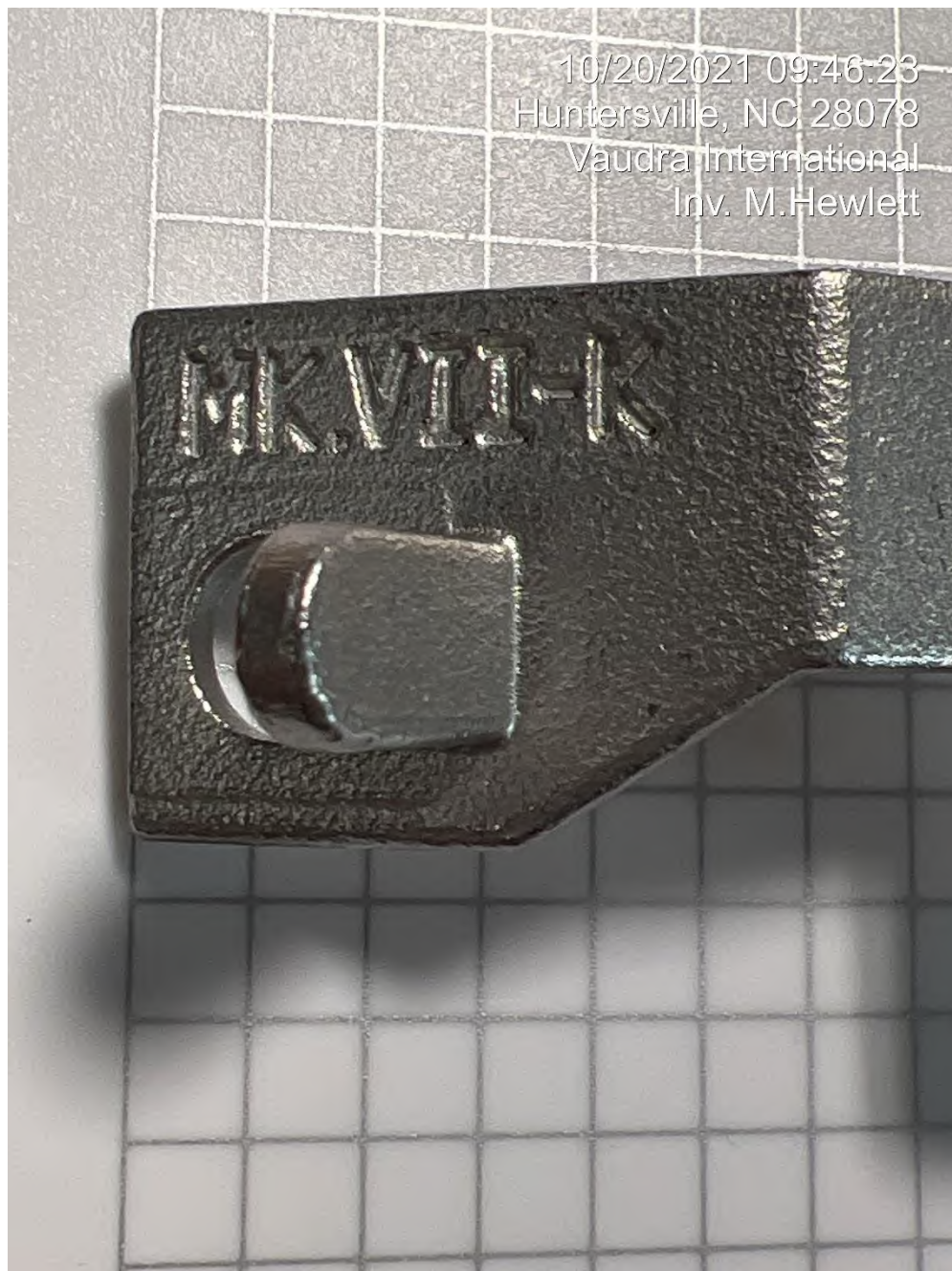


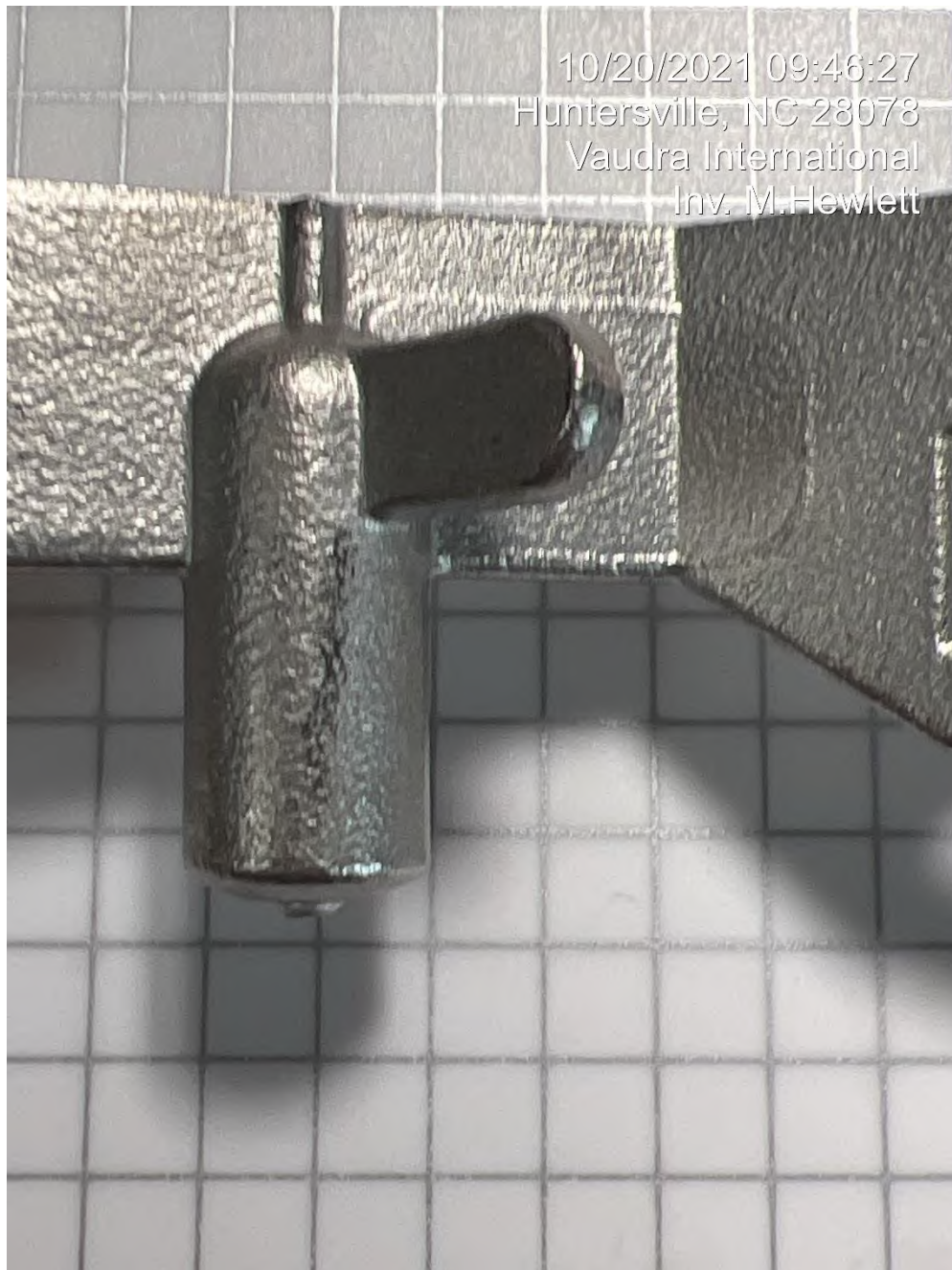


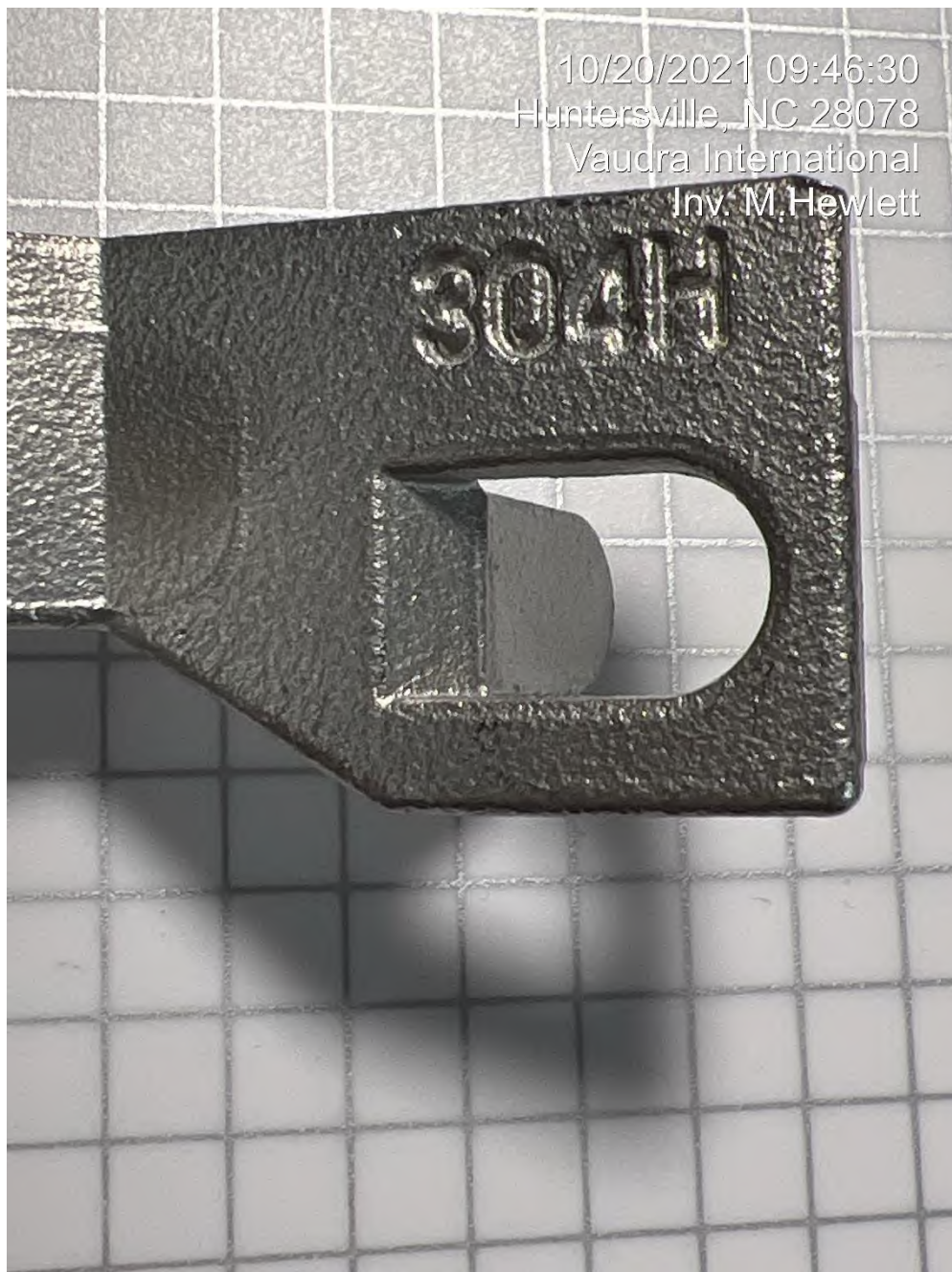


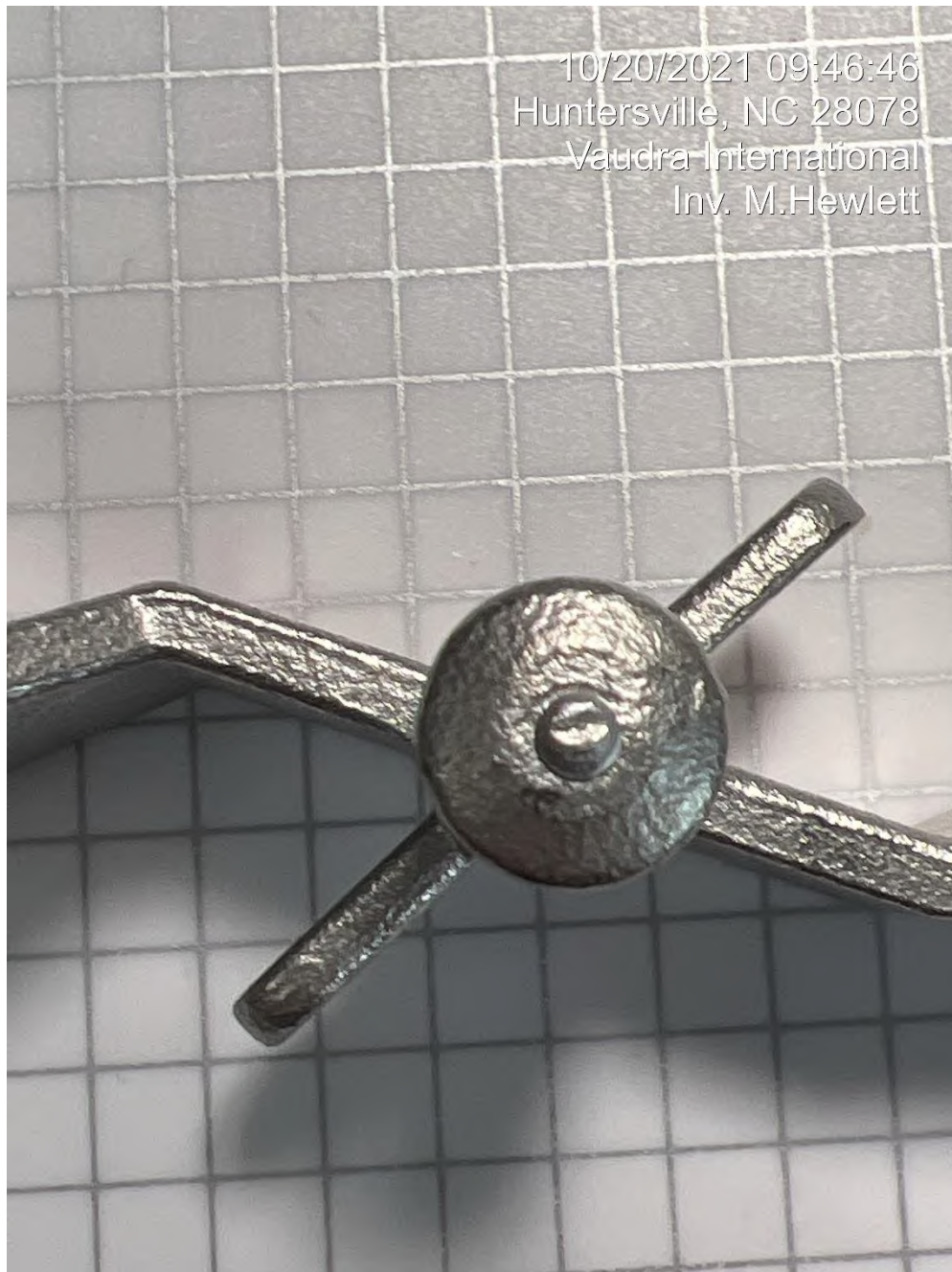












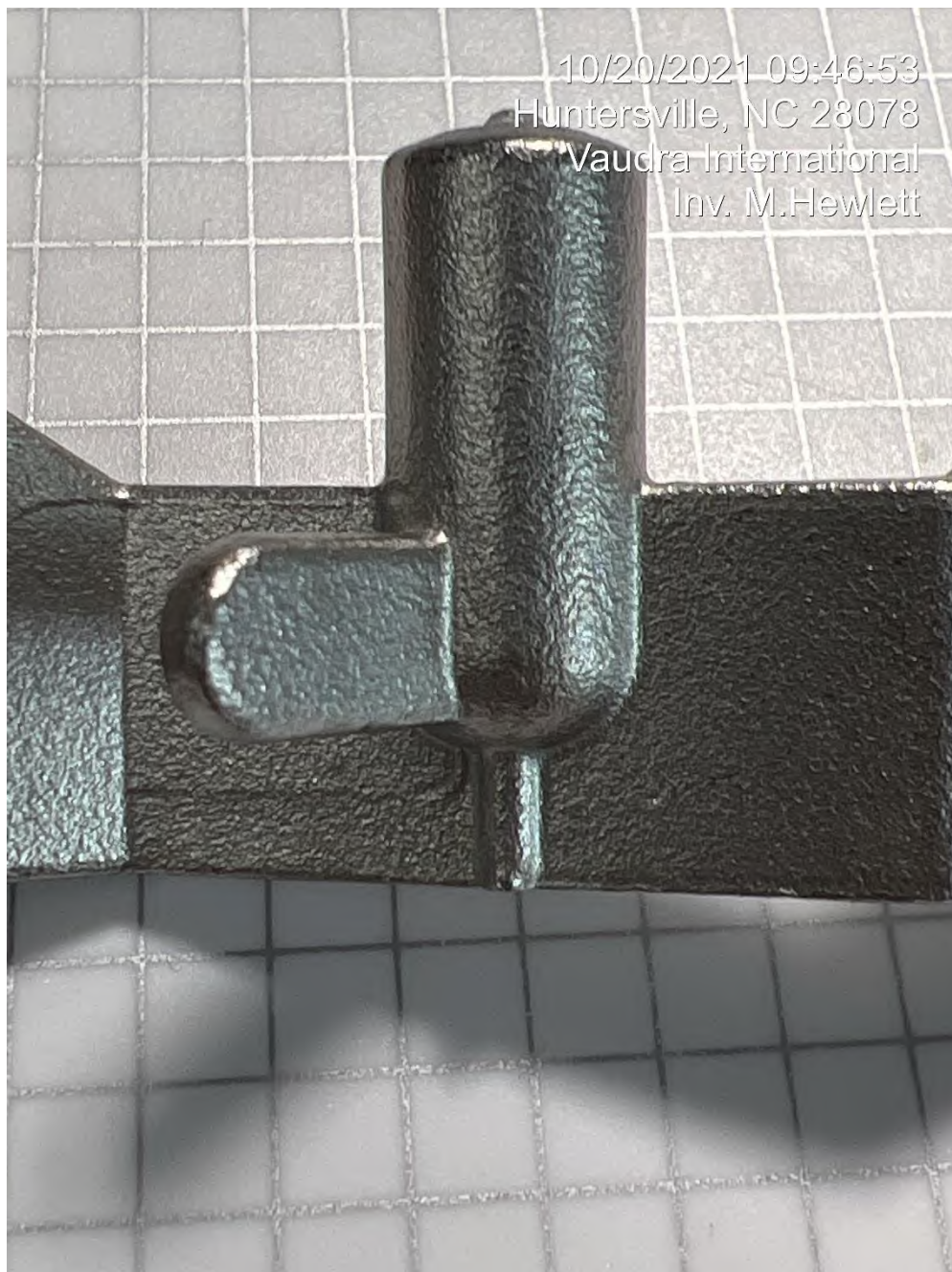


EXHIBIT F



VAUDRA INTERNATIONAL

Investigations & Brand Protection Solutions

Evidence Photos

Case #: SHM001.21.I

VEC #: 2021/1041

Item Description: (33) 1" Quick-X Grade 304 Anchor

Obtained from: Amrith Thakur, Industrial Specialists, LLC, 5730 FM 646 East, Dickinson, TX 77539



10/20/2021 10:04:26
Huntersville, NC 28078
Vaudra International
Inv. M.Hewlett

FROM: (408) 218-7037
Amrith Thakur
Industrial Specialists, LLC
5730 FM 646 East
Dickinson TX 77539
US

SHIP DATE: 07OCT21
ACTWGT: 6.00 LB
CAD: 9321904VNET4400
DIMMED: 7 X 12 X 7 IN
BILL: SENDER

TO:

ATLANTA GA 30328

REF: E885-EPG

(US)

500.0070151A

INV
PO: 20211009056

DEPT:



FedEx
Ground



201205000014

2 of 2

MPS# 7749 0748 8168

Mstr# 7749 0748 7507

30328

9622 0019 0 (000 000 0000) 0 00 7749 0748 8168







10/20/2021 10:14:48
Huntersville, NC 28078
Vaudra International
Inv. M.Hewlett





